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*Counsel for Defendants NexPoint Advisors, L.P.
and Highland Capital Management Fund Advisors, L.P.*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:

**HIGHLAND CAPITAL MANAGEMENT, L.P.,

Reorganized Debtor.**

Chapter 11

Case No. 19-34054-sgj11

**MARC S. KIRSCHNER, AS LITIGATION TRUSTEE
OF THE LITIGATION SUB-TRUST,**

Plaintiff,

v.

**JAMES D. DONDERO; MARK A. OKADA; SCOTT
ELLINGTON; ISAAC LEVENTON; GRANT JAMES
SCOTT III; FRANK WATERHOUSE; STRAND
ADVISORS, INC.; NEXPOINT ADVISORS, L.P.;
HIGHLAND CAPITAL MANAGEMENT FUND
ADVISORS, L.P.; DUGABOY INVESTMENT TRUST
AND NANCY DONDERO, AS TRUSTEE OF DUGABOY
INVESTMENT TRUST; GET GOOD TRUST AND
GRANT JAMES SCOTT III, AS TRUSTEE OF GET
GOOD TRUST; HUNTER MOUNTAIN INVESTMENT
TRUST; MARK & PAMELA OKADA FAMILY TRUST
– EXEMPT TRUST #1 AND LAWRENCE TONOMURA
AS TRUSTEE OF MARK & PAMELA OKADA FAMILY
TRUST – EXEMPT TRUST #1; MARK & PAMELA
OKADA FAMILY TRUST – EXEMPT TRUST #2 AND
LAWRENCE TONOMURA IN HIS CAPACITY AS
TRUSTEE OF MARK & PAMELA OKADA FAMILY
TRUST – EXEMPT TRUST #2; CLO HOLDCO, LTD.;
CHARITABLE DAF HOLDCO, LTD.; CHARITABLE
DAF FUND, LP.; HIGHLAND DALLAS FOUNDATION;
RAND PE FUND I, LP, SERIES 1; MASSAND CAPITAL,
LLC; MASSAND CAPITAL, INC.; SAS ASSET
RECOVERY, LTD.; AND CPCM, LLC,**

Adv. Pro. No. 21-03076-sgj

Defendants.

**NEXPOINT ADVISORS, L.P. AND HIGHLAND CAPITAL MANAGEMENT FUND
ADVISORS, L.P.'S WITNESS AND EXHIBIT LIST FOR MARCH 17, 2022
AT 1:30 P.M. (CENTRAL TIME)**

Highland Capital Management Fund Advisors, L.P. ("HCMFA") and NexPoint Advisors, L.P. ("NexPoint"), submit this Witness and Exhibit List for the status conference scheduled on Thursday, March 17, 2022 at 1:30 p.m. (the "Status Conference") on the following matters:

1. *The Motion to Withdraw the Reference for the Causes of Action in the Complaint Asserted Against the Former Employee Defendants* [Adv. Proc. Dkt. 27], *the Brief in Support of Motion to Withdraw the Reference for the Causes of Action in the Complaint Asserted Against the Former Employee Defendants* [Adv. Proc. Dkt. 28], and *The Former Employee Defendants' Reply in Support of the Motion to Withdraw the Reference* [Adv. Proc. Dkt. 108].
2. *The Motion of the Okada Parties to Withdraw the Reference* [Adv. Proc. Dkt. 36], *the Memorandum of Law in Support of the Okada Parties' Motion to Withdraw the Reference* [Adv. Proc. Dkt. 37], and *the Reply in Support of the Okada Parties' Motion to Withdraw the Reference* [Adv. Proc. Dkt. 105].
3. *The Motion to Withdraw the Reference for the Causes of Action in the Complaint Asserted Against Defendants* [Adv. Proc. Dkt. 39], *the Memorandum in Support of Defendants NexPoint Advisors, L.P. and Highland Capital Management Fund Advisors, L.P.'s Jury Demand and Motion to Withdraw the Reference* [Adv. Proc. Dkt. 40], and *the Reply in Support of Motion to Withdraw the Reference* [Adv. Proc. Dkt. 103].
4. *Defendants James Dondero, Dugaboy Investment Trust, Get Good Trust, and Strand Advisors, Inc.'s Motion to Withdraw the Reference* [Adv. Proc. Dkt. 45], *Defendants James Dondero, Dugaboy Investment Trust, Get Good Trust, and Strand Advisors, Inc.'s Memorandum of Law in Support of Motion to Withdraw the Reference* [Adv. Proc. Dkt. 46], and *The Dondero Defendants' Reply in Support of the Motion to Withdraw the Reference* [Adv. Proc. Dkt. 106].
5. *Defendant Grant James Scott's Motion to Withdraw Reference* [Adv. Proc. Dkt. 50], and *Defendant Grant James Scott's Brief in Support of Motion to Withdraw Reference* [Adv. Proc. Dkt. 51].
6. *Motion to Withdraw the Reference* [Adv. Proc. Dkt. 59], and *Reply in Support of Motion to Withdraw the Reference* [Adv. Proc. Dkt. 104] filed by CLO Holdco, Ltd., Charitable DAF Holdco, Ltd., Charitable DAF Fund, L.P., and Highland Dallas Foundation.

7. *The Litigation Trustee's Response in Opposition to Defendants' Motions to Withdraw the Reference* [Adv. Proc. Dkt. 95].

HCMFA AND NEXPOINT'S WITNESS LIST

HCMFA and NexPoint may call the following persons to testify as witnesses at the Status Conference:

1. Any witness called by any other party; and
2. Rebuttal witnesses as necessary.

HCMFA and NexPoint reserve the right to cross-examine any witness called by any other party.

HCMFA AND NEXPOINT'S EXHIBIT LIST

1. Any exhibits designed by any other party, specifically including the exhibits listed in *The Former Employee Defendants' Witness and Exhibit List for Status Conference Scheduled for March 17, 2022 at 1:30 p.m. (Central Time)* [Adv. Proc. Dkt. 109].
2. Any exhibits necessary as rebuttal evidence.

HCMFA and NexPoint reserve the right to amend or supplement this Witness and Exhibit List as necessary in advance of the Status Conference.

Dated: March 14, 2022

Respectfully submitted,

STINSON LLP

/s/ Deborah Deitsch-Perez

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**ATTORNEYS FOR DEFENDANTS
NEXPOINT ADVISORS, L.P. AND
HIGHLAND CAPITAL MANAGEMENT
FUND ADVISORS, L.P.**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on March 14, 2022, a true and correct copy of the foregoing document was served via the Court's CM/ECF system on all parties registered to receive electronic notices in this case.

/s/ Deborah Deitsch-Perez
Deborah Deitsch-Perez